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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/609,585	06/30/2000	William F. Diede	Bell-21APP	2757

7590 10/21/2004  
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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/609,585

Applicant(s)

DIEDE ET AL.

Examiner

Olisa Anwah

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 39 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-30 and 40-42 is/are allowed.
- 6) ☒ Claim(s) 31-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 101***

1. Claims 31-38 are rejected under U.S.C § 101 because the claimed data structures (media, record, identifiers and entry) have no functional interrelationship between itself and other claimed aspects of the invention and does not recite any post-computer process activity or pre-computer process activity.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 31 and 38 are rejected under 35 U.S.C § 103(a) as being unpatentable over Furman et al, U.S. Patent No. 6,049,594 (hereinafter Furman) in view of Hanson, U.S. Patent No. 5,802,149 (hereinafter Hanson).

Regarding claim 31, Furman discloses a computer-readable digital data storage media, comprising:

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a first voice dialing record (see abstract) corresponding to a first voice dialing service subscriber, the first voice dialing record including:

a first subscriber identifier associated with a voice dialing service subscriber (50 from Figure 3); and

a first calling entry, the first calling entry including first text corresponding to a first name (col. 5, line 35), a first speaker independent speech recognition model for recognizing speech corresponding to said first name (col. 4, line 64); a first telephone number (col. 5, lines 40-45) associated with said first name and a first telephone number identifier associated with said first telephone number (col. 9, lines 20-25).

Furman does not disclose a corporate dialer identifier that identifies a corporate dialer to be used in the event that a name in the first voice dialing record is not detected as part of a voice dialing operation in speech received from a user of said subscriber record. However Hanson discloses this limitation (col. 4, line 19). The telephone number of directory-assistance system 106 is functionally equivalent to the claimed corporate dialer identifier. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Furman with the corporate dialer identifier taught by

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Hanson. This modification would have modernized Furman by allowing a subscriber voice dialing record to be updated as suggested by Hanson (column 2).

Regarding claim 38, see col. 2, line 20 of Furman.

4. Claims 32-37 are rejected under 35 U.S.C § 103(a) as being unpatentable over Furman combined with Hanson in further view of Beswick et al, U.S. Patent No. 6,462,616 (hereinafter Beswick).

Regarding claim 32, the combination of Furman and Hanson does not disclose a second telephone number associated with said first name and a second telephone number identifier associated with said second telephone number. However Beswick discloses these limitations (see Figure 8). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Furman and Hanson with the second telephone number taught by Beswick. This modification would have improved system versatility by allowing a customer to add work or pager numbers to a voice dialing record as suggested by Beswick.

Regarding claim 33, see Figure 8 of Beswick.

Regarding claim 34, see Figures 7 and 8 of Beswick.

Regarding claim 35, see Figure 8 of Beswick.

Regarding claim 36, see Figure 3 of Furman.

Regarding claim 37, see Figure 8 of Beswick.

***Allowable Subject Matter***

5. Claims 1, 16 and 40 are allowed because the claimed voice dialer and secondary voice dialer are database records. Beswick teaches using a name and a secondary name. However Beswick does not disclose using a secondary voice dialer. Although Hanson discloses using a secondary voice dialer, Hanson fails to teach the identifier of the secondary voice dialer is modifiable by the user.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah

Patent Examiner

October 14, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to be 'Fan Tsang', written over the printed name and title.